

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

[1] JOEL MONGE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-09-1188-R
	)	
[1] EAGLE WELL SERVICE, INC. d/b/a BRONCO	)	
ENERGY SERVICES;	)	
[2] EAGLE WELL SERVICE CO. INC., OF KANSAS;	)	
[3] RG PETRO-MACHINERY (GROUP) CO., LTD;	)	
	)	
Defendants.	)	

**NOTICE OF APPEAL**

Notice is hereby given that Joel Monge, Plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Tenth Circuit from:

1. The Final Judgment (Doc. No. 174) entered in this action on September 5, 2011<sup>1</sup> and corresponding Orders (Doc. 120) and (Doc. 173); and
2. The Order (Doc. No. 183) denying in part Plaintiff's timely Motion to Alter, Amend, or Vacate Judgment (Doc. No. 178) under Rule 59(e) of the Federal Rules of Appellate Procedure. The Order disposing of Plaintiff's Motion to Alter, Amend, or Vacate Judgment was entered in this action on December 13, 2011.

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<sup>1</sup> The Order (Doc. 173) corresponding to the Final Judgment (Doc. No. 174) incorrectly indicates that the Order was entered on October 5, 2011. On December 12, 2011, the Court granted Plaintiff's request to Alter or Amend Judgment with respect only to the date the Order was entered. *See* (Doc. No. 183) ("Plaintiff's motion is granted to the extent he seeks amendment of the concluding paragraph, dating the Order as having been entered on September 5, 2011 rather than on October 5, 2011.").

Respectfully Submitted,

s/ Scott B. Hawkins

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### **CERTIFICATE OF SERVICE**

I, Scott B. Hawkins, an attorney of record for Joel Monge, hereby certify that on January 9, 2012 I electronically transmitted the foregoing **Notice of Appeal** to the Clerk of the United States District Court for the Western District of Oklahoma using the ECF System for filing as required by local rules. In addition to the Clerk of Court serving the **Notice of Appeal** in accordance with Fed. R. App. P. 3(d)(1), I hereby certify that on January 9, 2012, the foregoing **Notice of Appeal** was served by Plaintiff's counsel:

On C. Todd Ward, C. William Threlkeld, and Brion B. Hitt, Counsel for Defendants Eagle Well Service, Inc. and Eagle Well Service Co., Inc., of Kansas at Fenton, Fenton, Smith, Reneau & Moon, 211 N. Robinson, Suite 800 N., Oklahoma City, OK 73102, the last known address by certified mail return receipt requested and email at [ctward@fentonlaw.com](mailto:ctward@fentonlaw.com);

On F. Jason Goodnight and Sarah E. Buchan, Counsel for Intervenor, Liberty Insurance Corporation at Feldman Franden Woodard & Farris, Two W. 2<sup>nd</sup> St., Ste. 900, Tulsa, OK 74103, the last known address by certified mail return receipt requested and email at [jgoodnight@tulsalawyer.com](mailto:jgoodnight@tulsalawyer.com) and [sbuchan@tulsalawyer.com](mailto:sbuchan@tulsalawyer.com);

And on Gary W. Davis, C. Robert Stell, and Adam C. Hall, Counsel for Defendant RG Petro-Machinery (Group) Co., Ltd., at Crowe & Dunlevy, 20 North Broadway, Suite 1800, Oklahoma City, OK 73102, the last known address by certified mail return receipt requested and email at [gary.davis@crowedunlevy.com](mailto:gary.davis@crowedunlevy.com), [robert.stell@crowedunlevy.com](mailto:robert.stell@crowedunlevy.com) and [adam.hall@crowedunlevy.com](mailto:adam.hall@crowedunlevy.com).

s/ Scott B. Hawkins

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